

Message

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Sent: 12/9/2020 2:19:41 PM
To: D'Amico, Louis [DAmico.Louis@epa.gov]
Subject: RE: FYI. Inside EPA on OAQPS air toxics initiative

Good, maybe Erika can provide insights

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From: D'Amico, Louis <DAmico.Louis@epa.gov>
Sent: Wednesday, December 9, 2020 9:11 AM
To: Orme-Zavaleta, Jennifer <Orme-Zavaleta.Jennifer@epa.gov>
Subject: FYI. Inside EPA on OAQPS air toxics initiative

Thinking about the "feedback" you got on the IRIS nominations call yesterday. Saw this article and wondered if it meant OAR was looking for more ways to stand up their own capacity to do tox assessments. It's the first I've heard about it – not sure if you had heard anything?. I reached out to John V to see if there was any intel.

<https://insideepa.com/daily-news/epa-floats-draft-air-toxics-strategy-identify-emerging-health-threats>

EPA Floats Draft Air Toxics Strategy To Identify Emerging Health Threats
December 8, 2020

EPA is floating a new draft strategy to improve the agency's response to both existing and emerging health risks from air toxics, aiming to break out of regulatory "silos" and reach across the agency, and beyond, in its effort to identify problems earlier and respond to them in a more comprehensive way.

"This is an attempt to get our house in order," Mike Koerber, deputy director of EPA's Office of Air Quality Planning and Standards (OAQPS), told the agency's Clean Air Act Advisory Committee (CAAAC) on a Dec. 8 virtual meeting.

"We are somewhat siloed" at the agency, and it is "critical" that EPA offices talk to each other and external groups, such as state air regulators, to get a better grip on air toxics issues, Koerber added.

The strategy will include an emphasis on protecting the interests of environmental justice (EJ) communities, a theme that the incoming Biden administration has taken up in its agenda for a renewed environmental policy.

The goal, Koerber said, is to create improved public health protection, including for EJ communities historically overburdened with air toxics pollution, to create responses "appropriately scaled to the issue," and to create efficiencies, where possible, in the regulatory program. Not all responses to problems need be regulatory in nature, Koerber said.

As a first step, EPA is creating an Air Toxics Evaluation and Screening Team (ATEST) from staff at OAQPS, the Office of Transportation and Air Quality and regional offices.

Much of OAQPS' time is spent working on Clean Air Act-mandated reviews of existing air toxics standards, often on court-ordered timetables, and the new strategy appears to be an effort to be more proactive and less constrained in the agency's handling of toxic threats.

One recent example of such an emerging threat is the solvent ethylene oxide (EtO), which has drawn significantly greater concern after EPA in 2016 released a new risk assessment finding it more harmful than previously thought.

However, the new strategy also stems from a series of recommendations made by CAAAC five years ago for EPA to improve its handling of air toxics.

Koerber said the strategy takes up many of the 25 CAAAC recommendations, although pointedly not those recommending a budget increase. EPA will instead have to reallocate funds as necessary to achieve the strategy's goals, Koerber said.

The plan has four "key components." EPA, in consultation across its offices and with outside stakeholders, will identify and prioritize air toxics issues. This will include existing, emerging and "future" threats. The agency will conduct air toxics data analysis. The data will then serve to support the management and mitigation of air pollutants. Also, EPA will place a new emphasis on outreach and implementation.

Koerber said EPA's strategy would place much greater emphasis on improved communication, both within the agency, and with stakeholders and the public.

Further, EPA will include consideration of "co-benefits" from reducing air toxics, where more than one pollutant is reduced, producing multi-pollutant benefits, a potentially significant step given the agency's imminent release of a controversial cost-benefit rule that critics say will open the door to limiting use of such approaches.

'Push The Envelope'

OAQPS continues to consult other EPA offices, including the regions, and also state and tribal air regulators' groups, on the draft plan, and anticipates publishing a document for public consumption with greater detail in January, Koerber said.

Some CAAAC members asked how EPA intends to cope with its existing, large workload of reviewing air toxics regulations. EPA staff on the call said they may be able to group together some of the most pressing review rules.

EPA acting air policy chief Anne Austin earlier on the same call said that EPA is working on nine proposed rules under the air law's review requirements, due by Oct. 1, 2021, and "that work is very much underway."

Attorney Shannon Broome, with law firm Hunton Andrews Kurth, "applauded" EPA for focusing on rules that will be the most significant for human health, but urged the agency to "push the envelope a little bit on your de minimis authority" that allows EPA to discount minor increases in pollution as too small to require a regulatory response. -- Stuart Parker (sparker@iwpnews.com)

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